

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

LIBERTY MUTUAL FIRE INSURANCE  
COMPANY; LM GENERAL INSURANCE  
COMPANY; LM INSURANCE  
CORPORATION; and SAFECO  
INSURANCE COMPANY OF ILLINOIS,

Plaintiffs,

v.

ADVANCED CENTRAL LABORATORY,  
LLC and FUTURE DIAGNOSTIC CENTER  
LLC,

Defendants.

C.A. No. 20-cv-11957-BAF-RSW

**PLAINTIFFS' MOTION FOR CONTEMPT AND FOR COSTS AND  
SANCTIONS AGAINST DEFENDANTS ADVANCED CENTRAL  
LABORATORY LLC AND FUTURE DIAGNOSTIC CENTER LLC**

Plaintiffs Liberty Mutual Fire Insurance Company, LM General Insurance Company, LM Insurance Corporation, and Safeco Insurance Company of Illinois (collectively, "Liberty Mutual") hereby move this Honorable Court for an order holding defendants Advanced Central Laboratory, LLC ("Advanced Central") and Future Diagnostic Center LLC ("Future Diagnostic") (collectively, the "defendants") in contempt for violating several Court Orders and for sanctions, including the entry of default judgment.

The defendants have now violated two (2) Orders to produce documents and information responsive to discovery requests that were served by Liberty Mutual five (5) months ago. Both Orders were clear and unambiguous, and both Orders were clearly disregarded by the defendants. For this reason, and as discussed in the brief filed herewith, the defendants should be held in contempt and sanctions, including the entry of default judgment, should issue against them.

The undersigned hereby certifies that counsel for Liberty Mutual conferred with counsel for the defendants pursuant to Local Rule 7.1(a) regarding the factual and legal bases for this motion, but concurrence in Liberty Mutual's requested relief was not forthcoming.

WHEREFORE, for the reasons set out herein and detailed in the attached brief in support of this motion for contempt and for costs and sanctions, Liberty Mutual respectfully requests that this Honorable Court enter an order holding Advanced Central Laboratory LLC and Future Diagnostic Center LLC in contempt; awarding Liberty Mutual its costs, including attorney's fees, incurred in relation to filing this motion; entering default judgment against the defendants for failing to meaningfully participate in discovery and for violating several Court Orders; and imposing any other sanctions on the defendants that the Court deems just and proper.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

SMITH & BRINK

*/s/ Andrew H. DeNinno*

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